



DAC

Patent # 8  
Docket No.: 54982US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

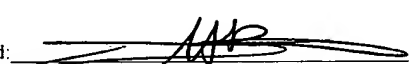
In re Application of:

Rodney K. Hehenberger, Phillip A.  
Bolea and Bernard A. Gonzalez

Group Art Unit: 1743

Serial No.: 09/369,410  
Filed: August 5, 1999  
For: Chemical Indicator Reader

Examiner:

RENEWED PETITION UNDER 37 C.F.R. § 1.10 AND  
ALTERNATIVELY UNDER 37 C.F.R. §§ 1.182 & 1.183  
TO CORRECT FILING DATE OF APPLICATIONAssistant Commissioner for Patents  
Box DAC  
Washington, DC 20231I hereby certify that this correspondence is being deposited with the  
United States Postal Service as First Class Mail in an envelope  
addressed to: Assistant Commissioner for Patents, Washington,  
D.C. 20231 on July 17, 2001.Signed:   
John A. Burtis (Reg. No. 39,924)

Dear Sir:

Applicants respectfully submit this *Renewed Petition Under 37 C.F.R. § 1.10 and Alternately under 37 C.F.R. §§ 1.182 & 1.183* in response to the Decision issued January 29, 2001, denying, in all respects, Applicants' *Petition to Secure Filing Date as of Mailing Date Via Express Mail Under 37 C.F.R. § 1.10(c) or (d) or in the Alternative a Petition Under 37 C.F.R. § 1.182 or 37 C.F.R. § 1.183 For Correction of Filing date and Issuance of a Corrected Filing Receipt.*

Applicants respectfully petition the Commissioner for Patents pursuant to 37 C.F.R. § 1.136(a) to extend the time for submitting this renewed petition, originally due March 29, 2001, for four (4) months. With the extension of time, Applicants' request will be timely if filed on or before July 29, 2001. Please charge the fee provided in 37 C.F.R. § 1.17(a)(4) to Deposit Account No. 13-3723. Please also charge any additional fees or credit any

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overpayment to Deposit Account No. 13-3723. One copy of this sheet marked DUPLICATE is also enclosed.

### **Introduction**

Applicants respectfully request renewal and reconsideration of their petition filed August 28, 2000, under various portions of the Patent Office Rules to correct an obvious error in the filing date of this application. Based most likely on an erroneous reading of a marginally legible Express Mail receipt, the USPTO accorded the application a filing date of August 3, 1999, two days before the application was deposited with the U.S. Postal Service via "Express Mail Post Office to Addressee."

On August 5, 1999, five commonly-assigned applications, naming several common inventors and directed to related subject matter, were separately deposited with the U.S. Post Office as Express Mail and sent to the U.S. Patent and Trademark Office.<sup>1</sup> All five applications were filed by the same attorney and were delivered to the same Post Office clerk at the same time. Pursuant to 37 C.F.R. § 1.10(a), all but the instant application were accorded a filing date of August 5, 1999.

On August 28, 2000, Applicants filed a Petition to correct the filing date of this application from August 3, 1999, to August 5, 1999. Applicants petitioned alternatively under 37 C.F.R. §§ 10(c), 10(d), 182 & 183. Applicants included with their petition a black and white copy of the Express Mail Receipt for the application (No. EM164710442US). Applicants also included copies of a declaration, assignment, assignment recordation sheet, postcard, and transmittal letter all of which were dated August 5, 1999. On January 29, 2001, the Patent Office denied Applicants' petition in its entirety. While the Decision recognized the "persuasiveness" of Applicants' submitted evidence, the Office nonetheless found that Applicants had failed to meet the specific

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<sup>1</sup> The following four applications were filed along with the present application:

1. Serial No. 09/368,742 (Attorney Docket No. 52683USA6A.002);
2. Serial No. 09/368,744 (Attorney Docket No. 54981USA2A.002);
3. Serial No. 09/369,098 (Attorney Docket No. 54986USA2A.002); and
4. Serial No. 09/369,108 (Attorney Docket No. 54873USA1A.002).

requirements of 37 C.F.R. § 1.10 and that their alternative petitions under 37 C.F.R. §§ 182 & 183 were, respectively, inapplicable and premature.

From a close reading of the Decision there appears to be no dispute regarding the central factual issue of Applicants' petition – that the application papers were executed and deposited with the U.S. Postal Service on August 5, 1999, not August 3, 1999. Both Applicants and the Patent Office share a fundamental and overarching interest in reconciling the biographical record of the application with this accepted fact. Applicants submit this renewed petition to offer additional evidence that more clearly satisfies the specific and narrow requirements of the rules.

**A. The Filing Date of the Application Should Be Changed to August 5, 1999, Under 37 C.F.R. § 1.10 to Correct a Clear Error**

The filing date of the application is clearly in error. Rule 1.10 provides, in the first instance, the mechanism for obtaining and correcting a filing date by Express Mail. Rule 10(b) sets forth the mechanism for correction when there is a discrepancy between the "Date-in" notation by the Postal Service on the Express Mail Receipt and the filing date recognized by the Patent Office. Rule 10(c) sets forth the mechanism for correction when the "Date in" notion on the Express Mail Receipt is incorrect. The most appropriate means for correcting the filing date for this application depends on the reading of a handwritten notion on a carbon copied paper Express Mail Receipt. For the reasons set forth below, Applicants believe correction under Rule 10(c) is most appropriate here.

***1. The Handwritten "Date-in" on the Express Mail Receipt is Only Marginally Legible and was Likely Misread by the USPTO.***

Although difficult to read, Applicants believe the Patent Office misread the handwritten "Date-in" notion on the Express Mail Receipt as August 3, 1999. The notation is better read as August 5, 1999. As explained above, the present application was filed together with four other applications. All five, while packaged separately, were delivered to the same Post Office clerk at very nearly the same time. Applicants enclose

a true color copy of the Express Mail Receipt for the application (attached as Exhibit A) along with color copies of the Express Mail Receipts and black and white copies of Application Transmittal Letters and postcards for each of the other four applications (collected together as Exhibit B). Collectively, the evidence clearly establishes a common date of deposit. For example:

- All five applications were handled by the same Postal Service Acceptance Clerk, and the Express Mail Receipts were all filled out in the same handwriting (see portions under "Origin (Postal Use Only)"). The common clerk signed each receipt with the initials "MA."
- All five receipts were processed by the Acceptance Clerk within five minutes of one another – between 18:45 and 18:50.
- The "Customer" portion of all five receipts were filled out in the same handwriting and are clearly dated August 5, 1999.
- All five receipts bear serial numbers in generally ascending order (EM164710411, EM164710425, EM164710439, EM164710442, EM164710456). The receipt subject to this Petition, EM164710442, falls in the series both before and after receipts that are unquestionably dated August 5, 1999.
- The "Date-in" notation on all five receipts share a common handwriting and a common style. Although the receipt at issue is less legible, when positioned closely to the other receipts, it is reasonably clear that each is dated August 5, 1999.
- It is also worth noting that Applicants apparently received the wrong copy of the disputed receipt from the Postal Clerk. Every Express Mail label includes at least three carbon copies underneath the original – just

underneath the original lies the "Customer Copy," under that the "Finance Copy" and under that the "Addressee Copy." Whereas the four receipts that are clearly dated August 5 are "Customer Copies," the less legible receipt is a "Finance Copy." In general, a carbon copy near the bottom of the stack will be less legible – and more prone to inexact duplication – than a copy nearer the original.

Based on the entirety of available evidence, it seems clear that the "Date-in" on the Express Mail Receipt for the present application should be read as August 5, 1999. If so read, there arises a discrepancy between the filing date accorded by the USPTO and the "Date-in," and the filing date should be corrected to August 5, 1999, pursuant to 37 C.F.R. § 1.10(c).

**2. *If the "Date-in" is Read as August 3, 1999, It is In Error and Should be Corrected.***

If the Office nonetheless believes the "Date-in" on the Express Mail Receipt must be read as August 3 instead of August 5, then the Express Mail Receipt is in error. The available evidence – the Express Mail Receipts from four other applications and the Transmittal Letters and postcards from all five applications – indisputably establishes that the present application was filed on August 5, 1999. The filing date should alternatively be corrected under 37 C.F.R. § 1.10(d).

Correction of the filing date under 37 C.F.R. § 1.10(d) requires corroborating evidence from the USPS or other corroborating evidence that came into being within one day after the deposit of the application papers with the USPS. The USPS Express Mail Receipts from the four related applications satisfy this corroboration requirement. Nothing in Rule 10(d) limits the nature of the corroborating evidence to evidence related only to the envelope that carried the application subject to petition, and indeed the four related Express Mail receipts serve only to corroborate the otherwise overwhelming circumstantial evidence of the asserted date of deposit. This evidence compels a

conclusion that either the USPTO misread the disputed receipt or that the USPS mistakenly wrote a "3" instead of a "5" in the "Date-in" blank. Applicants respectfully alternatively request correction of the filing date under 37 C.F.R. § 1.10(d).

**3. *Applicants' Original Petition Was Timely, and Even if Not Sufficiently Timely, the Requirement Should be Waived to Correct a Clear Error.***

The Office found Applicants' initial Petition untimely. Both 37 C.F.R. § 1.10(c) and 37 C.F.R. § 1.10(d) require that a petition under Rule 10 be sought "promptly," and despite admitting the existence of "little guidance" as to the definition of "prompt," the Office takes the position that a delay of a little more than a year is too much.

Applicants respectfully ask the Office to reconsider. Applicants have not sought to delay prosecution of this application in any way and have acted with due diligence to seek correction of a clear governmental error. This petition addresses circumstances that commanded some investigation by Applicants' representatives and that are not necessarily easy to resolve within the narrow confines of the available Rules. The Office recognizes the existence of a mistake that Applicants did not themselves make. To hold Applicants to an arbitrary cutoff that is defined neither by the Rules nor case law and deny them relief from a clear government error vitiates the spirit of the Rules. Where there is a clear error in a pending patent application, both a patent applicant and the Office surely share an interest in correcting the error for the benefit of both the applicant and the public. Applicants respectfully submit that, in the absence of clear guidance from the Rules, they acted promptly and diligently to correct a clear filing date error.

**B. *If Applicants Cannot Satisfy 37 C.F.R. § 1.10, the Filing Date Should Be Changed Pursuant to 37 C.F.R. § 182 or 37 C.F.R. § 183***

If the Office finds against Applicants under 37 C.F.R. § 1.10 because of the unavailability of corroborating evidence or because of untimeliness, then the relief Applicants seek is not specifically provided for by either subsection of Rule 10, and Applicants request relief under 37 C.F.R. § 1.182. Applicants also alternatively renew their request for relief under 37 C.F.R. § 1.183. Because there is no dispute concerning

the existence of a clear error on the part of either the USPS or the USPTO in according this application its proper filing date under 37 C.F.R. § 1.10(a), justice requires a correction of the filing date as a last resort under 37 C.F.R. § 1.183.

The Federal Circuit recently interpreted the obligations of the Office under 37 C.F.R. § 1.183 and noted the interests in correcting obvious mistakes that arise in the filing and prosecution of patent applications:

Mistakes [in patent prosecution] are inevitable, much as all those involved try to minimize their possibility. Even if total elimination of mistakes is an illusory goal, their reasonable mitigation should not be. Sound judgment, flexibility, and the careful following of considered processes are critical to ensuring that small mistakes do not become large ones, and that mistakes of form do not overwhelm the correctness of substance.

*Helfgott & Karas P.C. v. Dickinson*, 54 U.S.P.Q.2d 1425, 1426 (Fed. Cir. 2000). In *Helfgott*, the Federal Circuit overturned the Office's denial of a petition under 37 C.F.R. § 1.183 to correct an undisputed and "obvious" error made in a Demand submitted to the USPTO under the Patent Cooperation treaty. Although the error giving rise to the petition in *Helfgott* was primarily the fault of the patent applicant, the Court noted a compounding error made by the USPTO as sufficient justification for applicants' request for relief. The circumstances giving rise to the present petition – where there is an undisputed error that is not even in part Applicants' fault – require, *a fortiori*, similar relief.

### **Conclusion**

Applicants have diligently sought relief from a clear error in the filing date accorded their application that was not of their making. Although the regulatory path for correction of the error depends on the reading of a carbon copy of a paper receipt, Applicants' entitlement to the correction cannot seriously be disputed. Applicants therefore respectfully renew their petition to correct the filing date of the application to August 5, 1999, for the reasons stated above.

USSN: 09/369,410

Attorney Docket No. 54982US002

Renewed Petition to Correct Application Filing Date

Page 8 of 8

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Respectfully submitted,

Date: July 17, 2001

By: 

John A. Burtis

Registration No. 39,924

Attorney for Applicants

3M Office of Intellectual Property Counsel

P.O. Box 33427

St. Paul, Minnesota 55133-3427

Telephone: (651) 736-4235

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**JUL 24 2001**

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No. Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		Acceptance Clark Initials JJA	Total Postage & Fees \$ 15.75

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Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) 54873USAIA.002 3M OFFICE OF INTELLECTUAL PROPERTY COUNSEL 220 12W 01 PO BOX 33427 SAINT PAUL mailed: 8/5/99		TO: (PLEASE PRINT) BOX PATENT APPLICATION ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON DC 20231-0001
PHONE 55133-3427		PHONE

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Federal Agency Acct. No. or Postal Service Acct. No.		<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> WEEKEND <input type="checkbox"/> HOLIDAY	

FROM: (PLEASE PRINT) <b>54986 USA2A CO2</b> <b>3M OFFICE OF</b> <b>INTELLECTUAL PROPERTY COUNSEL</b> <b>220 12W 01</b> <b>PO BOX 33427</b> <b>SAINT PAUL</b> <i>mailed: 8/5/99</i>	PHONE <b>612 55133427</b>	TO: (PLEASE PRINT) <b>BOX PATENT APPLICATION</b> <b>ASSISTANT COMMISSIONER FOR</b> <b>PATENTS</b> <b>WASHINGTON</b> <b>DC 20231-0001</b>	PHONE
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JUL 23 2001

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
PO Box 33427  
St. Paul, Minnesota 55133-3427  
651/733 1500

**PATENT**

Docket No.

52683US6A002

**Transmittal of Patent Application - Rule 1.53(b)**

Box: Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Inventor(s): Steven S. Kirckof  
Title: MACHINE READABLE STERILIZATION INDICATOR AND METHOD OF MONITORING  
ARTICLES TO BE STERILIZED

1. ☒ Enclosed is the above-mentioned new patent application. It includes 25 sheet(s) of drawings.
2. ☒ Enclosed is an executed declaration or oath.
3. ☒ Enclosed are an application assignment to 3M Innovative Properties Company and a completed Assignment Recordation Cover Sheet.
4. ☐ Enclosed is a Certified Copy of Priority Document(s) \_\_\_\_\_. (if foreign priority is claimed).
5. ☐ Enclosed is \_\_\_\_\_.
6. ☒ The fee for filing the application is computed as follows:

Claims As Filed				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$760.
Total Claims	32 -20 =	12	x \$18.	\$216
Independent Claims	3 -3 =	0	x \$78.	\$0
Additional fee for filing one or more multiple dependent claims			\$260.	\$
Total amount due →				\$976

7. ☒ Please charge to Deposit Account 13-3723 any fees under 37 CFR 1.16 and 1.17 which may be required to file and during the entire pendency of this application. This authorization includes the fee for any extension of time under 37 CFR 1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested. A copy of this transmittal letter for fee processing is enclosed.
8. ☒ Enclosed is a return receipt postcard

Respectfully submitted:

Registration Number	Telephone Number
34,109	(651) 733-1555
Date	
August 5, 1999	

Signature
<i>Jeffrey J. Hohenshell</i>
Print Name
Jeffrey J. Hohenshell

Certificate of Express Mailing	
Pursuant to 37 CFR 1.10 I certify that this application is being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Express Mail Mailing Label No.	Signature of Person Mailing Application
EM164710411US	<i>Cheryl L. Schmitz</i>
Date of Deposit	Printed Name of Person Mailing Application
August 5, 1999	Cheryl L. Schmitz

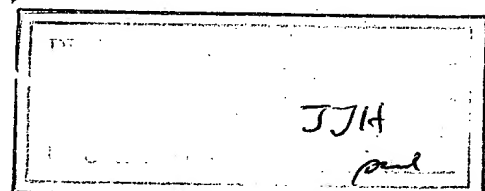
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DOCKET NO.: 52683USA6A.002

Application Of: Steven C. Kirkhof

Title: MACHINE READABLE STERILIZATION INDICATOR  
AND METHOD OF MONITORING ARTICLES TO BE  
STERILIZED

ENCLOSURES: Patent Application (Spec. - 55 pgs.; Claims -  
32; Abstract - 1 pgs./TOTAL PAGES: 62); 25 sheets  
formal drawings; Declaration, Power of Attorney, and Petition;  
Assignment and Assignment Recordation Form Cover Sheet

Deposit Acct Amount: \$ 916.80 (Filing Fee) & \$40.00  
(Recordal Fee)

Attorney (initials): JJH/clh  
Express Mail No.: EM164710411US  
Date Mailed: August 5, 1999

Abstract

1c518 U.S. PTO

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No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		Acceptance Clerk Initials: <b>MA</b>

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Federal Agency Acct. No. or Postal Service Acct. No.	<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> WEEKEND <input type="checkbox"/> HOLIDAY

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*mailed: 8/5/99*

TO: (PLEASE PRINT) PHONE  
**BOX PATENT APPLICATION**  
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**PATENTS**  
**WASHINGTON DC 20231-0001**

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Office of Intellectual Property Counsel  
3M Innovative Properties Company  
PO Box 33427  
St. Paul, Minnesota 55133-3427  
651/733 1500

PATENT

Docket No.

54981US2A002

Transmittal of Patent Application - Rule 1.53(b)

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JUL 24 2001

OFFICE OF PETITIONS

Box: Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Inventor(s): Steven S. Kirckof and Phillip A. Bolea  
Title: METHOD OF USING A CHEMICAL INDICATOR

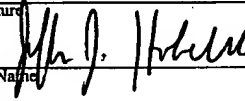
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Total amount due →				\$760

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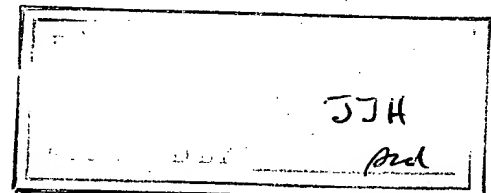
Registration Number	Telephone Number
34,109	(651) 733-1555
Date	
August 5, 1999	

Signature

Print Name
Jeffrey J. Hohenshell

Certificate of Express Mailing	
Pursuant to 37 CFR 1.10 I certify that this application is being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Express Mail Mailing Label No.	Signature of Person Mailing Application
EM164710425US	
Date of Deposit	Printed Name of Person Mailing Application
August 5, 1999	Cheryl L. Schmitz

c:\3mipo forms and samples\transmittal letter - original patent app 1-53(b).doc Rev. 4/18/99

EM164710425US



DOCKET NO.: 54981USA2A.002

Application Of: Steven S. Kirkhof and Phillip A. Bolea  
Title: METHOD OF USING A CHEMICAL INDICATOR

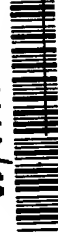
ENCLOSURES: Patent Application (Spec. - 55 pgs.; Claims -  
14 ; Abstract - 1 pgs./TOTAL PAGES: 59 ); 25 sheets  
formal drawings; Declaration, Power of Attorney, and Petition;  
Assignment and Assignment Recordation Form Cover Sheet

Deposit Acct Amount: \$ 160.00 (Filing Fee) & \$40.00  
(Recordal Fee)

Abstract

1c518 U.S. PTO

09/360744



00/05/99

Attorney (initials): JJH/clb

Express Mail No.: EM164710425US

Date Mailed: August 5, 1999

pl



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EM164710411US

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<b>INTERNATIONAL SHIPMENTS ONLY</b> <input type="checkbox"/> Business Recipients <input type="checkbox"/> Registered Mail Customs forms and commercial invoices may be required. See PSN 277 and International Mail Manual.	P.O. ZIP 5151111	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/> Flat Rate Envelope	
	Date In Mo. 8 Day 5 Yr. 94	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 15.75
	Time In AM 1845 PM	Military <input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt <input type="checkbox"/>
	Weight 13.6 lbs. oz.	Int'l Alpha Country Code	G.O.D.
	No. Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Acceptance Clerk Initials MA	Total Postage & Fees \$ 15.75

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3M OFFICE OF  
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TO: (PLEASE PRINT) PHONE  
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Office of Intellectual Property Counsel  
3M Innovative Properties Company  
PO Box 33427  
St. Paul, Minnesota 55133-3427  
651/733 1500

**PATENT**

DOCKET NO.

54986US2A002

**Transmittal of Patent Application - Rule 1.53(b)**

Box: Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Inventor(s): Roland C. Kippenhan; Steven S. Kirckof; Phillip A. Bolea; Craig R. Hof and Ric Rumble  
Title: ELECTRONIC SYSTEM FOR TRACKING AND MONITORING ARTICLES TO BE  
STERILIZED AND ASSOCIATED METHOD

1. ☒ Enclosed is the above-mentioned new patent application. It includes 25 sheet(s) of drawings.
2. ☒ Enclosed is an unsigned declaration or oath.
3. ☐ Enclosed are an application assignment to 3M Innovative Properties Company and a completed Assignment Recordation Cover Sheet.
4. ☐ Enclosed is a Certified Copy of Priority Document(s) \_\_\_\_\_. (if foreign priority is claimed).
5. ☐ Enclosed is \_\_\_\_\_.
6. ☒ The fee for filing the application is computed as follows:

Claims As Filed				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$760.
Total Claims	31 -20 =	11	x \$18.	\$198
Independent Claims	4 -3 =	1	x \$78.	\$78
Additional fee for filing one or more multiple dependent claims			\$260.	\$
Total amount due →				\$1036

7. ☒ Please charge to Deposit Account 13-3723 any fees under 37 CFR 1.16 and 1.17 which may be required to file and during the entire pendency of this application. This authorization includes the fee for any extension of time under 37 CFR 1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested. A copy of this transmittal letter for fee processing is enclosed.
8. ☒ Enclosed is a return receipt postcard

Respectfully submitted:

Registration Number	Telephone Number
34,109	(651) 733-1555
Date	
August 5, 1999	

Signature
<i>Jeffrey J. Hohenshell</i>
Print Name
Jeffrey J. Hohenshell

Certificate of Express Mailing	
Pursuant to 37 CFR 1.10 I certify that this application is being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Express Mail Mailing Label No.	Signature of Person Mailing Application
EM164710439US	<i>Cheryl L. Schmitz</i>
Date of Deposit	Printed Name of Person Mailing Application
August 5, 1999	Cheryl L. Schmitz

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EM164710439US

ATTORNEY	<i>JJH</i>
DOCKETED BY	<i>me</i>

Attorney (initials): JJH/clis  
Express Mail No.: EM164710439US  
Date Mailed: August 5, 1999

DOCKET NO.: 54986USA2A.002

Application Of: Roland C. Kippenhan et al.  
Title: ELECTRONIC SYSTEM FOR TRACKING AND  
MONITORING ARTICLES TO BE STERILIZED AND  
ASSOCIATED METHOD

ENCLOSURES: Patent Application (Spec. - 56 pgs.; Claims -  
31; Abstract - 1 pgs./TOTAL PAGES: 63); 25 sheets  
formal drawings and Unsigned Declaration, Power of Attorney,  
and Petition

Deposit Acct Amount: \$ 1036.00 (Filing Fee)

Attorney (initials): JJH/clis  
Express Mail No.: EM164710439US  
Date Mailed: August 5, 1999

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	Date: Mo. 8 Day 3 Yr. 99	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage: \$ 15 75
	Time In: 1845 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military: <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt: <input type="checkbox"/>
	Weight: 1.32 lbs oz	Int'l Alpha Country Code: J	G.O.D.:
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PO Box 33427  
St. Paul, Minnesota 55133-3427  
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**PATENT**

Docket No.

54873US1A002

**Transmittal of Patent Application - Rule 1.53(b)**

Box: Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Inventor(s): Rodney K. Hehenberger and Ramon T. Ignacio  
Title: CUSTOMIZED STERILIZATION INDICATORS PRINTABLE AT POINT OF USE

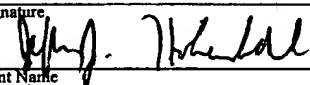
1. ☒ Enclosed is the above-mentioned new patent application. It includes 25 sheet(s) of drawings.
2. ☒ Enclosed is an unsigned declaration or oath.
3. ☐ Enclosed are an application assignment to 3M Innovative Properties Company and a completed Assignment Recordation Cover Sheet.
4. ☐ Enclosed is a Certified Copy of Priority Document(s) \_\_\_\_\_. (if foreign priority is claimed).
5. ☐ Enclosed is \_\_\_\_\_.
6. ☒ The fee for filing the application is computed as follows:


Claims As Filed				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$760.
Total Claims	14 -20 =	0	x \$18.	\$0
Independent Claims	4 -3 =	1	x \$78.	\$78
Additional fee for filing one or more multiple dependent claims			\$260.	\$
Total amount due →				\$838

7. ☒ Please charge to Deposit Account 13-3723 any fees under 37 CFR 1.16 and 1.17 which may be required to file and during the entire pendency of this application. This authorization includes the fee for any extension of time under 37 CFR 1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested. A copy of this transmittal letter for fee processing is enclosed.
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Respectfully submitted:

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Date	
August 5, 1999	

Signature

Print Name
Jeffrey J. Hohenshell

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Pursuant to 37 CFR 1.10 I certify that this application is being deposited on the date indicated below with the United States Postal Service "Express Mail Post Office to Addressee" service addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
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EM164710456US	
Date of Deposit	Printed Name of Person Mailing Application
August 5, 1999	Cheryl L. Schmitz

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